

REGULAR MEETING  
BOROUGH COUNCIL  
BOROUGH OF RUMSON  
May 14, 2019

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on Tuesday, May 14, 2019 at 7:30 p.m.

Pledge of Allegiance.

Present: Council President Atwell, Councilmen Casazza, Conklin, Kingsbery, Rubin and Swikart.

Absent: Mayor Hemphill.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks, Borough Engineer, was present.

Council President Atwell declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2019 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Councilman Casazza, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

**COMMUNICATIONS:**

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**LETTER FROM MICHAEL ADHANOM, SECTION CHIEF FOR THE BUREAU OF STATIONARY SOURCES AT THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION. THIS LETTER SERVES AS APPROVAL FOR THE BOROUGH'S AIR POLLUTION CONTROL PRECONSTRUCTION PERMIT AND CERTIFICATE TO OPERATE GENERAL PERMIT.**

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The Municipal Clerk/Administrator received a letter from Michael Adhanom, Section Chief at the Bureau of Stationary Sources for the State of New Jersey Department of Environmental Protection. This letter serves as the approval for a General Permit request for the Borough's three (3) emergency generators.

On motion by Councilman Rubin, seconded by Councilman Casazza, this communication was ordered received. All in favor.

**LETTER FROM MARION MASNICK, CLERK OF THE BOARD FOR THE MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS. ATTACHED TO THIS LETTER IS AN ADOPTED RESOLUTION FROM THE FREEHOLDERS OPPOSING THE WILLIAMS/NESE RARITAN BAY PIPELINE.**

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The Municipal Clerk/Administrator received a letter from Marion Masnick, Clerk of the Board of Chosen Freeholders for Monmouth County. This letter serves as notification of a certified resolution adopted by the Monmouth County Board of Chosen Freeholders at its Regular Public Meeting on April 18, 2019 wherein the Freeholders opposed the Williams/NESE Raritan Bay Pipeline.

On motion by Councilman Rubin, seconded by Councilman Casazza, this communication was ordered received. All in favor.

**LETTER FROM THOMAS P. SANTRY, P.A. SURVEYORS ADVISING OF AN APPLICATION MODIFICATION FOR A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION COASTAL GENERAL (CAFRA) PERMIT REGARDING PROPERTY LOCATED AT 9 OAK TREE LANE (BLOCK 11, LOT 5).**

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The Municipal Clerk/Administrator received a letter from Thomas P. Santry, P.A. Surveyors advising that a previously submitted DEP Coastal General (CAFRA) Permit application has been modified and re-submitted. A copy of the modified package of documents has been included with this letter. Property location for the project is 9 Oak Tree Lane (Block 11, Lot 5).

On motion by Councilman Rubin, seconded by Councilman Casazza, this communication was ordered received. All in favor.

**LETTER FROM BOROUGH ENGINEER, DAVE MARKS PROVIDING HIS RECOMMENDATIONS FOR THE PIPING ROCK PARK PROJECT.**

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The Municipal Clerk/Administrator received a letter from Borough Engineer David Marks regarding a Change Order (#2) for Precise Construction and the project at Piping Rock Park. This letter contained a summary of specific quantity increases and supplemental work items.

On motion by Councilman Rubin, seconded by Councilman Casazza, this communication was ordered received. All in favor.

**LETTER RECEIVED FROM CHIEF FINANCIAL OFFICER AND TAX COLLECTOR, HELEN GRAVES STATING THERE ARE NO UNCOLLECTIBLE TAX ACCOUNTS IN THE BOROUGH OF RUMSON FOR THE YEAR 2018.**

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The Municipal Clerk/Administrator received a letter from Tax Collector Helen Graves notifying the governing body that there were no uncollectible accounts for Year 2018 at the Borough of Rumson.

On motion by Councilman Rubin, seconded by Councilman Casazza, this communication was ordered received. All in favor.

**COMMITTEE REPORTS:**

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Councilman Conklin shared that the Finance Committee had met recently and discussed the final valuation from Monmouth County. The Committee, along with Chief Financial Officer Helen Graves and Borough Administrator Thomas Rogers took a good look at the Borough's debt structure, capital programs and the 2019 budget. They are making progress and he will report back when everything has been finalized.

**UNFINISHED BUSINESS:**

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**ORDINANCE 19-001 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14). PUBLIC HEARING.**

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The Municipal Clerk stated that an Ordinance entitled:

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

was scheduled for public hearing at this time. He stated that the Ordinance had been posted and published and the Affidavit of Publication is on file.

On motion by Councilman Rubin, seconded by Councilman Conklin, the public were given an opportunity to be heard on this Ordinance in final reading. All in favor.

Council President Atwell afforded the public the opportunity to speak at this time

Stu Sendell of 7D Lafayette Street approached the Council and asked for more background information on the Ordinance. He asked if there were specific line items this Ordinance was referencing.

Municipal Clerk/Administrator Thomas S. Rogers explained to Mr. Sendell that this Ordinance is introduced to allow for the “banking” of funds in case of a Superstorm Sandy type of event. It is adopted annually in preparation for the introduction of the annual budget.

Mr. Sendell thanked the Council and Mr. Rogers for the clarification.

On motion by Councilman Rubin, seconded by Councilman Casazza, the public hearing on this Ordinance was declared closed. All in favor.

Councilman Rubin moved the adoption of this Ordinance in final reading. Motion seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Abstain: None.

Absent: None.

**ORDINANCE 19-002 G TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER VII, TRAFFIC. PUBLIC HEARING.**

The Municipal Clerk stated that an Ordinance entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON  
BY AMENDING CHAPTER VII, TRAFFIC**

was scheduled for public hearing at this time. He stated that the Ordinance had been posted and published and the Affidavit of Publication is on file.

On motion by Councilman Rubin, seconded by Councilman Casazza, the public were given an opportunity to be heard on this Ordinance in final reading. All in favor.

Municipal Clerk/Administrator Thomas Rogers shared that residents were asked to provide comments and/or suggestions regarding the proposed Ordinance and he had printed their emails to be read and shared at this time. He summarized the concerns of each of the following residents from the emails they had sent to the Borough. The majority of the emails favored residential permit parking, seasonal enforcement and a reduction in the proposed area of NO PARKING:

- Bob Malone, 26 Lincoln Avenue
- Marsha & Walter Bukowski, 14 Lincoln Avenue
- Eric Larsen, 19 Lincoln Avenue
- Gwendolyn Wisely, 33 Waterman Avenue
- Paul Nugent, 6 Warren Street
- Steven & Jennifer Van Solkema, 3 Warren Street
- Josh Welle, 17 Grant Avenue
- Carla Riccobono, 6 Warren Street

Police Chief Scott Paterson addressed the residents to explain that a large amount of time and effort had been put into the proposed Ordinance update. He also stated that although he understands change is hard, this is based solely on the safety needs of Borough residents. He would like to see the adoption of this Ordinance so everyone can move forward and see what can

be accomplished with the new plan. He also noted that there has been quite a bit of positive support shown for this Ordinance, as well.

Council President Atwell afforded the public the opportunity to speak at this time.

William Hoy of 87 South Ward approached the Council and thanked the Mayor and Borough Administrator Thomas Rogers for meeting with residents after their October block party in order to address concerns. Mr. Hoy had completed extensive research regarding street safety and shared the results at the meeting.

He thanked the Council for their time.

Katie Johnson of 58 South Ward Avenue approached the Council. She lives on the northern side of the area affected by the Ordinance. She discussed the adverse effects she's already been dealing with for years since Superstorm Sandy. She recommends the installation of speed bumps to help alleviate some of the problems. She also asked that the Borough representatives study the traffic patterns in the area more. She is in favor of the Ordinance but does not agree to the need for year round implementation. She welcomes compromise.

Councilman Rubin made a motion to close the public hearing on this Ordinance.

Residents continued discussion at this time.

The Municipal Clerk/Borough Administrator explained to the crowd that the discussion could continue but the public hearing would have to remain open in order to do so.

Chief Paterson suggested going forward with the Ordinance as it stands and then revisiting it later in the summer, as he feels that doing nothing is not the answer. Further, he stated that he understands and sympathizes with the residents affected, however, the ultimate goal is to make things safer.

Councilman Rubin made a motion to re-open the public hearing. All in favor.

Katie Johnson of 58 South Ward Avenue approached the Council again and suggested the problems only occur in the summer season. She is in favor of resident permit parking and suggested the Police Department use apps on their laptops that quickly check license plates to make sure parked cars actually belong to residents. She would like the new Ordinance to be effective from the end of May until the beginning of September and would also like to see seasonal permit parking for residents. She also noted that she feels the Ordinance has been "rushed."

Mr. Rogers reiterated that there would be no way to manage or enforce a permit parking situation especially with the presence of St. George's by the River.

Chief Paterson noted that no one rushed into this Ordinance and many man hours went into the studies and data collection. He also noted that some streets definitely need the Ordinance as a year round solution to the safety issue.

William Hoy of 87 South Ward Avenue approached the Council again. He lives farther south of Grant Avenue and states that he has never had problems before, except for speed and he feels this is not going to address that problem.

Chief Paterson noted that only posting signage on part of the area will surely cause cars to move further down and affect the entire area anyway.

Mr. Rogers reiterated that the emergency vehicles have to access the neighborhood.

Eric Larson of 19 Lincoln Avenue approached the Council and agrees that something has to be done to rectify the situation. He lives much closer to the bridge and suggests permit parking in conjunction with a two (2) hour limit for church and business. After two (2) hours, he would

like to see that there is a potential consequence. He feels a hybrid of permits and signs will work as a deterrent.

Gwendolyn Wisely of 33 Waterman Avenue approached the Council and thanked the Police Department and also the citizens who came to the meeting tonight. She doesn't feel that emergency services are the problem, it's the tourist traffic. She feels the Ordinance has nothing to do with what is actually troubling the citizens.

Janet Tranter of 93 Waterman Avenue approached the Council and she feels permit parking is the answer. She would like for the Council to discuss permit parking with the Borough of Sea Bright to see how it has worked for them, as she feels it is the solution to the issue at hand.

Bob Malone of 26 Lincoln Avenue approached the Council and shared that he feels he is most impacted by the traffic situation. He also feels that this is a matter of Administration inconvenience and he would like a confirmation from the Council to revisit the Ordinance at a later date.

Mr. Rogers informed Mr. Malone that this was not an Administrative issue and the proposed Ordinance backs a Police Department recommendation. Further, he stated that there are requirements that have to be met during the Ordinance process which have been met. The Ordinance was introduced, posted, advertised in the newspapers and letters went out to residents. He also noted that if the Ordinance didn't pass tonight, there would be no way to move forward to try new traffic solutions. Lastly, he noted that there are always opportunities to update the Ordinances and this is done frequently.

Councilman Rubin reiterated that the Ordinance revision will be revisited at the end of summer.

Walter Bukowski of 14 Lincoln Avenue approached the Council again. He doesn't feel that making the parking Ordinance year round is in everyone's best interest and he supports making it seasonal.

Theresa Azaceta of 70 South Ward Avenue approached the Council. She feels her perspective regarding the Ordinance is different than most of the other citizens who have voiced their concerns. Safety is her main concern. She would like to turn off of Rumson Road onto South Ward without fear of hitting a car on either side. She can barely fit her car through and worries that a fire truck or ambulance wouldn't be able to get to someone in need. She complimented Sergeant Ciambrone on all the work he has put into finding a solution and believes he has done a wonderful job. She noted that it will always be hard to keep everyone happy but asks that everyone be realistic and keep the safety of the community as the priority.

Jim Azaceta of 70 South Ward Avenue approached the Council. He moved to the area two or three years ago and finds it very difficult to get his truck through the narrow streets. Mr. Azaceta shared that he drove a fire truck in Hoboken for twenty-six (26) years and Hoboken had permit parking. But Hoboken also had a parking authority budget for hiring enforcement personnel. Mr. Azaceta noted that contractors and landscapers sometimes place items three to four feet from the curb, which only makes the streets narrower. He feels strongly that the main issue is the safety of the people and he feels certain that should someone get sick and need an ambulance or have a fire, the emergency vehicles would not be able to get through. Mr. Azaceta feels the Ordinance needs to be adopted.

Gwendolyn Wisely of 33 Waterman Avenue approached the Council again to ask how the Ordinance will now deal with construction vehicles. Mr. Rogers informed her that those vehicles will also follow the rules posted on the street and have to park in a legal space or on the property.

Katie Johnson of 58 South Ward Avenue approached the Council again and stated that permit parking is the answer and she doesn't feel that there should be budgetary concerns for the permit enforcement since her property taxes have been raised incrementally year after year.

On motion by Councilman Rubin, seconded by Councilman Conklin, the public hearing on this Ordinance was declared closed. All in favor.

Councilman Conklin added that he knows the neighborhood well and has taken his bike rides there for years. He knows all the issues and understands but from where he sits, he feels safety is always going to be his number one objective. He stated that he cannot, in good conscience, sit on the Council knowing that emergency vehicles are not able to funnel down the narrow streets in the area and take care of the residents. Should there be a fire or accident and the responders aren't able to access the site, Councilman Conklin stated that he wouldn't be able to live with himself. He cannot say whether or not the Ordinance will be set as it is on a permanent basis. But he feels there are no ifs, ands or buts about it when it comes to safety. He would like to pass the Ordinance and promises the Council will revisit it after data is collected later in the summer.

Councilman Casazza agrees with Councilman Conklin. He would like to take another look at the Ordinance in late July or during the first part of August. He also mentioned the possibility of addressing the issues on Shrewsbury Drive with speed limit signs, a digital speed monitoring sign to show drivers how fast they are going or possibly turning the street into a one way. He feels Sea Bright is changing into much more of a tourist town now therefore Rumson has to adjust and make changes.

Councilman Kingsbery stated that he is in agreement with Councilmen Conklin and Casazza and further, he feels that this is not just a summer issue. He stated that safety is a year round concern and he feels the Ordinance should address this on a full year basis.

Chief Paterson told the residents to please call if there are issues with speeding in the neighborhood and they will address it.

Councilman Casazza commented that he knows Shrewsbury Drive well and drives it many times each week. He knows it is not an easy street to travel on during the summer months.

Councilman Rubin moved the adoption of this Ordinance in final reading. Motion seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Abstain: None.

Absent: None.

Council President Atwell and all members of the Council promised the residents that this Ordinance would be revisited in August, once data could be collected.

## **NEW BUSINESS:**

### **INTRODUCTION OF ORDINANCE 19-003 TO APPROPRIATE FUNDS FOR VARIOUS CAPITAL PROJECTS AND THE APPROPRIATION OF THE COST THEREOF IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY, JUNE 11, 2019 AT 7:30 P.M.**

The Municipal Clerk/Administrator read the following ordinance by title only in first reading:

## **19-003**

### **AN ORDINANCE TO APPROPRIATE FUNDS FOR VARIOUS CAPITAL PROJECTS AND THE APPROPRIATION OF THE COST THEREOF.**

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, County of Monmouth, State of New Jersey that:

SECTION 1. The Borough shall be authorized to undertake the following improvement projects:

- A. Public Works Vehicles & Equipment
- B. Emergency Services Equipment Acquisitions & Upgrades
- C. Public Buildings Equipment Acquisitions & Upgrades

SECTION 2. That the funding toward said improvements be made for a sum not to exceed Five Hundred Thousand and 00/100 (\$500,000.00) Dollars allocated as follows:

- A. Public Works Vehicles & Equipment .....\$150,000.00
- B. Emergency Services Equipment Acquisitions & Upgrades.... \$300,000.00
- C. Public Buildings Equipment Acquisitions & Upgrades.....\$50,000.00

SECTION 3. That funding toward the aforementioned projects be made for a sum not to exceed Five Hundred Thousand and 00/100 (\$500,000.00) Dollars or so much thereof as necessary to carry out the terms of this ordinance be and the same is hereby appropriated and dedicated from the Capital Improvement Fund for the purpose of making the aforementioned improvements and acquisitions and paying the expenses in connection therewith.

SECTION 4. This ordinance shall take effect upon its passage and publication according to law.

Council President Atwell stated that this ordinance would be published and posted and come up for final consideration and public hearing at the Tuesday, June 11, 2019 meeting of the Borough Council at 7:30 p.m.

**RESOLUTION 2019-0514-52 FIXING SALARIES OF CERTAIN BOROUGH OFFICERS, EMPLOYEES AND APPOINTEES FOR SUMMER RECREATION PART-TIME EMPLOYEES.**

**2019-0514-52**

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION FIXING SALARIES OF CERTAIN  
BOROUGH OFFICERS, EMPLOYEES AND APPOINTEES**

WHEREAS, an ordinance entitled “AN ORDINANCE FIXING COMPENSATION OF BOROUGH OFFICERS AND CERTAIN BOROUGH EMPLOYEES IN THE BOROUGH OF RUMSON, NEW JERSEY” has been adopted following public hearing; and

WHEREAS, said ordinance provides for salary ranges of various job titles and positions; and

WHEREAS, it is the intention of the Mayor and Council to fix the salaries of those individuals who hold such positions; and

WHEREAS, the Borough of Rumson through its Recreation Commission has decided to hire part-time employees for the Borough’s summer recreation program;

WHEREAS, it is in the best interest of the Borough to pay said employees on an hourly basis;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the hourly rate for the 2019 part-time Summer Recreation Program employees be fixed as follows:

Junior Recreation Counselors	\$ 7.25 per hour
Caroline Christoph	

Ed Deignan  
Frances Forte  
Isabella French  
Julia Gauss  
Mackenzie Doherty  
Michael Campanella  
Nick Pinsly  
Nina Mazzacco

Junior Recreation Counselors – 2 <sup>nd</sup> Year	\$ 7.25 per hour
Isabella Ingrassia	
Sarah DiPalma	
Thomas Crow	
Thomas Glassman	
Ty Whittemore	

Senior Recreation Counselors – 1 <sup>st</sup> Year	\$ 8.00 per hour
Jack Pinsly	

Senior Recreation Counselors – 2 <sup>nd</sup> Year	\$ 8.00 per hour
Jack Harvey	
Peyton Ming	

Senior Supervising Recreation Counselor	\$10.00 per hour
Gabriella Virginia	
Paige Borden	
Victoria DiPalma	

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Payroll Clerk and Chief Financial Officer.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2019-0514-53 AUTHORIZING BOROUGH ENDORSEMENT OF MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION.**

**2019-0514-53**

Councilman Rubin offered the following resolution and moved its adoption:

**BOROUGH OF RUMSON**

**RESOLUTION**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and



WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson that the Borough of Rumson hereby endorses the submission of a Municipal Recycling Tonnage Grant Application for the year 2018 to the New Jersey Department of Environmental Protection, Office of Recycling and designates Mark T. Wellner, DPW Superintendent, Borough Hall, 80 East River Road, Rumson, N.J. 07760 to ensure that the said Application is properly filed.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2019-0514-54 AUTHORIZING CERTIFICATION OF EXPENDITURE FOR 2018 MUNICIPAL RECYCLING TAXES PAID.**

**2019-0514-54**

Councilman Rubin offered the following resolution and moved its adoption:

**BOROUGH OF RUMSON**

**TAX REIMBURSEMENT CERTIFICATION RESOLUTION**

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2018 in the amount of \$9,361.62. Documentation supporting this submission is available at 80 East River Road, Rumson, NJ 07760 and shall be maintained for no less than five (5) years from this date.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2019-0514-55 AUTHORIZING PURCHASE OF ONE NEW 2020 FORD UTILITY POLICE INTERCEPTOR FOR THE RUMSON POLICE DEPARTMENT.**

**2019-0514-55**

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF  
ONE NEW 2020 FORD UTILITY POLICE INTERCEPTOR  
FOR THE RUMSON POLICE DEPARTMENT**

WHEREAS, the Borough of Rumson has the need to purchase a new 2020 Ford Utility Police Interceptor for the Rumson Police Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, CHAS S WINNER INC, DBA Winner Ford, 250 Berlin Road, Cherry Hill, New Jersey 15146, has been awarded New Jersey State Contract No. 88728 for Police Vehicles, Sedans and Sport Utility Vehicles, for the period from March 15, 2015 to September 15, 2019; and

WHEREAS, the Temporary 2019 Borough of Rumson Operating Budget had appropriated \$100,000.00 for the purchase of vehicles; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract in the amount of \$31,566.20 as shown on PO #19-00578;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Helen L. Graves, Chief Financial Officer be authorized to issue a Purchase to CHAS S. WINNER INC. for the acquisition of ONE (1) new 2020 Ford Utility Police Interceptor;

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2019-0514-56 AUTHORIZING CHANGE ORDER NUMBER 2 FOR THE 2018 ROAD IMPROVEMENT PROJECT-PHASE 1.**

**2019-0514-56**

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION TO AUTHORIZE CHANGE ORDER NUMBER 2  
FOR THE 2018 ROAD IMPROVEMENT PROJECT – PHASE 1**

WHEREAS, Fiore Paving Company, of 4 Fiore Court, Oceanport, NJ 07757 was awarded a contract with the Borough of Rumson for the Borough's 2018 Road Improvement Program – Phase 1, Resurfacing Program on August 14, 2018 in the amount of \$489,907.18; and

WHEREAS, a previous change order was approved resulting in a revised total contract amount of \$586,784.75; and

WHEREAS, certain field changes and supplemental work was deemed necessary during the project, and;

WHEREAS, quantities of certain items in the original contract have been adjusted to reflect as-built quantities and actual field conditions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves Change Order Number 2 of the Borough's contract with Fiore Paving Company for the Road Improvement Program – Phase 1, Resurfacing Program, which change order will reflect the addition of certain requested supplemental and extra work resulting in an increase in the amount of \$15,380.46 and the change in certain materials and equipment resulting in a decrease of \$15,380.46, with a net increase of \$0.00, maintaining the total revised contract price at \$586,784.75. Said Change Order was recommended by the Borough's Consulting Engineer in a letter dated April 24, 2019, a copy of which is on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2019-0514-57 AUTHORIZING CHANGE ORDER NUMBER 2 FOR THE 2018 ROAD IMPROVEMENT PROJECT-PHASE 2.**

**2018-0514-57**

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION TO AUTHORIZE CHANGE ORDER NUMBER 2  
FOR THE 2018 ROAD IMPROVEMENT PROJECT – PHASE 2**

WHEREAS, S. Batata Construction, of 238 Ernston Road, Suite 1R, Parlin, NJ 08859 was awarded a contract with the Borough of Rumson for the Borough's 2018 Road Improvement Program – Phase 2, Curb & Sidewalk Program on August 21, 2018 in the amount of \$588,658.00; and

WHEREAS, a previous change order was approved resulting in a revised total contract amount of \$706,271.25; and

WHEREAS, certain field changes and supplemental work was deemed necessary during the project, and;

WHEREAS, quantities of certain items in the original contract have been adjusted to reflect as-built quantities and actual field conditions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves Change Order Number 2 of the Borough's contract with S. Batata Construction for the Road Improvement Program – Phase 2, Curb & Sidewalk Program, which change order will reflect the addition of certain requested supplemental and extra work resulting in an increase in the amount of \$21,986.00 and the change in certain materials and equipment resulting in a decrease of \$21,986.00, with a net increase of \$0.00, maintaining the total revised contract price at \$706,271.25. Said Change Order was recommended by the Borough's Consulting Engineer in a letter dated April 24, 2019, a copy of which is on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2019-0514-58 AUTHORIZING CHANGE ORDER NUMBER 2 FOR THE PIPING ROCK PARK IMPROVEMENT PROJECT.**

**2019-0514-58**

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION TO AUTHORIZE CHANGE ORDER NUMBER 2  
FOR THE PIPING ROCK PARK IMPROVEMENT PROJECT**

WHEREAS, Precise Construction Inc., of 1016 Highway 33, Freehold, NJ 07728 was awarded a contract with the Borough of Rumson for the Borough's Piping Rock Park Improvement Project, on August 21, 2018 in the amount of \$797,570.25; and

WHEREAS, certain unforeseen field conditions and supplemental work was deemed necessary during the project, and;

WHEREAS, quantities of certain items in the original contract have been adjusted to reflect as-built quantities and actual field conditions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves Change Order Number 2 of the Borough's contract with Precise Construction for the Piping Rock Improvement Project, which change order will reflect certain quantity adjustments and the addition of certain requested supplemental work resulting in a net increase in the amount of \$82,573.59, bringing the total revised contract price to \$951,305.92. Said Change Order was recommended by the Borough Engineer in a letter dated May 9, 2018, a copy of which is on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**APPOINTMENTS BY THE MAYOR:**

Council President Atwell read Mayor Hemphill's recommendation for the appointment of Michael Ingrassia as a Member of the Recreation Commission to fill an unexpired term effective May 14, 2019; term to expire on December 31, 2022.

Council President Atwell read Mayor Hemphill's recommendation for the appointment of Jon Levine as a Member of the Recreation Commission to fill an unexpired term effective May 14, 2019 to fill an unexpired term expiring on December 31, 2023.

2. There will be no garbage collection on Monday, May 27<sup>th</sup>, Memorial Day. Anyone whose garbage day falls on Monday will have to wait until their next regular collection day (Thursday) for pick-up. Borough Hall will also be closed on Memorial Day.

**CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):**

Vendor	Amount
NJ DEPT HEALTH/SR SERVICES	\$ 46.20
ANIMAL CONTROL FUND	\$ 46.20
FIORE PAVING COMPANY	\$ 88,980.07
PMC ASSOCIATES	\$ 38,441.57
PRECISE CONSTRUCTION COMPANY	\$ 194,647.94
S. BATATA CONSTRUCTION, INC.	\$ 13,720.00
T & M ASSOCIATES	\$ 504.36
T & M ASSOCIATES	\$ 432.86
T & M ASSOCIATES	\$ 663.75
CAPITAL FUND	\$ 337,390.55
TRIDENT ABSTRACT TITLE AGENCY	\$ 2,209.67
BIALOUS, JOE OR ANETTE	\$ 5,516.20
COMCAST	\$ 1,307.38
MONMOUTH COUNTY TREASURER	\$ 2,249,966.19
MONMOUTH COUNTY TREASURER	\$ 159,481.00
MONMOUTH COUNTY TREASURER	\$ 249,881.64
NEW JERSEY AMERICAN WATER	\$ 1,185.51
ALLIED OIL, LLC	\$ 15,338.03
ALL HANDS FIRE EQUIPMENT LLC	\$ 496.98
AMERICANWEAR INDUST UNIFORMS	\$ 948.44
A.R. COMMUNICATIONS	\$ 715.00
ATLANTIC PLUMBING SUPPLY CORP	\$ 17.11
ATLANTIC COAST FIBERS, LLC	\$ 3,497.60
BANISCH ASSOCIATES, INC.	\$ 8,338.70
BARGER & GAINES	\$ 2,000.00
BOB'S UNIFORM SHOP	\$ 973.95
BUILDERS GENERAL SUPPLY CO	\$ 93.93
BUILDERS GENERAL SUPPLY CO	\$ 176.69
BUTCH'S AUTO. CAR WASH, INC.	\$ 32.00
CIRCLE CHEVROLET INC	\$ 110.37
CLEARY, GIACOBBE, ALFIERI	\$ 157.70
COOPER ELECTRIC SUPPLY CO.	\$ 62.58
DELTA DENTAL OF NEW JERSEY INC	\$ 3,638.27
DIRECT ENERGY BUSINESS	\$ 540.66
EDWARDS TIRE CO INC	\$ 1,134.45
EDWARDS TIRE CO INC	\$ 1,027.10
FALCON INNOVATIONS,INC	\$ 900.00
JOSEPH FAZZIO WALL, LLC	\$ 11.33
JOSEPH FAZZIO WALL, LLC	\$ 165.59
F & C AUTOMOTIVE SUPPLY INC	\$ 37.39
FEDEX TECHCONNECT REVENUE SERV	\$ 70.74
FIREFIGHTER ONE, LLC	\$ 240.00
FIREFIGHTER ONE, LLC	\$ 330.00
GPANJ, INC	\$ 100.00

HOLMAN FRENIA ALLISON, PC	\$	7,100.00
ADAM HUBENY	\$	500.00
JENNIFER R JACOBUS ESQ &	\$	2,441.88
JASPAN HARDWARE	\$	8.64
JCP&L	\$	10,938.95
LANIGAN ASSOCIATES, INC	\$	229.90
LAWES	\$	69.28
MICHELE A MACPHERSON	\$	120.00
MONMOUTH MUNICIPAL J.I.F.	\$	173,469.00
NAJARIAN ASSOCIATES	\$	1,741.00
NAYLOR'S AUTO PARTS	\$	158.58
NEOPOST USA INC	\$	136.80
NEXVORTEX, INC	\$	421.13
NJ NATURAL GAS CO.	\$	221.38
NJ NATURAL GAS CO.	\$	893.66
STATE OF NJ PENSIONS/ACTIVE	\$	87,208.03
STATE OF NJ PENSIONS/RETIREE	\$	27,501.44
NORWOOD AUTO PARTS - BELFORD	\$	45.48
NORWOOD AUTO PARTS - BELFORD	\$	34.26
ONE CALL CONCEPTS	\$	219.70
PL CUSTOM EMERGENCY VEHICLES	\$	234.01
POWERHOUSE SIGNWORKS	\$	2,300.00
QBE SPECIALTY INSURANCE CO	\$	397.00
REPUBLIC SERVICES of NJ, LLC	\$	2,708.34
RUMSON ELEMENTARY SCHOOL DIST	\$	1,892,225.83
RFH REGIONAL HIGH SCHOOL	\$	1,622,858.17
RUTGERS, THE STATE UNIVERSITY	\$	470.00
SEABOARD WELDING SUPPLY, INC	\$	52.00
SITEONE LANDSCAPE SUPPLY	\$	1,911.00
MICHELE SMALLZE	\$	15.00
SPATIAL DATA LOGIC INC	\$	10,200.00
STATE SHORTHAND REPORTING SERV	\$	250.00
STATE SHORTHAND REPORTING SERV	\$	250.00
STAPLES BUSINESS ADVANTAGE	\$	314.77
STAVOLA ASPHALT CO. INC.	\$	213.90
STATE TOXICOLOGY LABORATORY	\$	90.00
MICHAEL B STEIB, PA	\$	143.00
SUBURBAN DISPOSAL INC.,	\$	26,750.00
SUBURBAN DISPOSAL INC.,	\$	21,859.67
TARGETED TECHNOLOGIES LLC	\$	2,573.01
TIMOTHY S HILL ELEC. CO. INC.	\$	285.00
T & M ASSOCIATES	\$	495.00
TREASURER, COUNTY OF MONMOUTH	\$	1,000.00
THE TWO RIVER TIMES	\$	206.15
THE TWO RIVER TIMES	\$	14.26
GEORGE WALL LINCOLN	\$	164.39
WATCHUNG SPRING WATER CO.	\$	54.41
ZEP SALES & SERVICE	\$	1,435.82
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CURRENT FUND	\$	6,613,632.04
HELEN L.GRAVES	\$	60.00
HOLMAN FRENIA ALLISON, PC	\$	1,550.00
SICILIANO LANDSCAPE CO LLC	\$	450.00
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RUMSON ENDOWMENT FUND INC	\$	2,060.00
ALL LAX LLC	\$	250.00
CHRISTINE BRODY	\$	180.00
CHRISTINE BRODY	\$	120.00
LEAGUE APPS	\$	970.47
YABIN LEI	\$	120.00
JOHN MAYO	\$	180.00
QUALITY ELECTRICAL CONST CO.	\$	1,746.00
THOMAS S ROGERS	\$	42.34
RUMSON ELEMENTARY SCHOOL DIST	\$	3,289.98
SUPREME KOURTS LLC	\$	264.00
CASEY WELDON	\$	180.00
CASEY WELDON	\$	120.00

<i>RECREATION TRUST</i>	\$	<i>7,462.79</i>
<i>MICHAEL B STEIB, PA</i>	\$	<i>1,079.00</i>
<i>T &amp; M ASSOCIATES</i>	\$	<i>1,442.50</i>
<i>TRUST</i>	\$	<i>2,521.50</i>
<i>NJ DEPARTMENT OF LABOR</i>	\$	<i>6,236.56</i>
<i>UNEMPLOYMENT TRUST NEW</i>	\$	<i>6,236.56</i>
<i>Animal Control Fund</i>	\$	<i>46.20</i>
<i>Capital Fund</i>	\$	<i>337,390.55</i>
<i>Current Fund</i>	\$	<i>6,613,632.04</i>
<i>Rumson Endowment Fund, Inc.</i>	\$	<i>2,060.00</i>
<i>Recreation Trust</i>	\$	<i>7,462.79</i>
<i>Trust</i>	\$	<i>2,521.50</i>
<i>Unemployment Trust New</i>	\$	<i>6,236.56</i>
<b><i>Total of All Funds</i></b>	<b>\$</b>	<b><i>6,969,349.64</i></b>

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**COMMENTS FROM THE COUNCIL:**

The Council President afforded the members of the Council an opportunity to be heard at this time and no one responded.

**COMMENTS FROM THE PUBLIC:**

The Council President afforded the public an opportunity to be heard at this time.

Stu Sendell of 7D Lafayette Street approached the Council.

Mr. Sendell spoke about two articles he had seen in the *Wall Street Journal* which referred to the new real estate market, wherein homes above the \$2,000,000 price range aren't selling to the younger, wealthy demographic. He stated that they are more interested in upscale condos with maintenance fees.

He suggests the new Tax Assessor meet with local real estate brokers to gather more information regarding the current market and how it relates in the Borough.

The Council President thanked Mr. Sendell for his comments.

**ADJOURNMENT:**

On motion by Councilman Rubin, seconded by Councilman Casazza, the meeting adjourned at 8:35 p.m. All in favor.

Respectfully submitted,

\_\_\_\_\_  
Thomas S. Rogers, R.M.C.  
Municipal Clerk/Administrator